

Absent

Gonzalez Roberts
Hardeman

Absent—Excused

Baker Hudson
Crump Rogers
Fuller Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the final passage of S. B. No. 49.

Welcome Resolutions

S. R. No. 35, By Senator Parkhouse: Extending welcome to Ralph Lofland and grandson of Dallas.

S. R. No. 36, By Senator Creighton and Moffett: Extending welcome to Mr. and Mrs. Bill Thacker of Wichita Falls.

S. R. No. 38, By Senator Creighton: Extending welcome to County Judge J. L. Farmer and other members of Commissioners Court of Callahan County.

S. R. No. 39, By Senators Gonzalez and Kazen: Extending welcome to the Honorable Ramon Pereira Perez of the Republic of Panama, et al.

Adjournment

On motion of Senator Weinert the Senate at 12:16 o'clock p.m. adjourned until 11:00 o'clock a.m. on Monday, July 31, 1961.

NINTH DAY

(Monday, July 31, 1961)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin Colson
Baker Creighton
Calhoun Crump

Dies Parkhouse
Fuller Patman
Gonzalez Ratliff
Hardeman Reagan
Herring Roberts
Kazen Rogers
Krueger Schwartz
Lane Secrest
Martin Smith
Moffett Weinert
Moore Willis
Owen

Absent—Excused

Hazlewood Hudson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 28, 1961, was dispensed with and the Journal approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Martin.

Reports of Standing Committees

Senator Aikin submitted the following reports:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 41, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 44, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Hardeman submitted the following report:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Message from the House

Hall of the House of Representatives

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am instructed by the House to inform the Senate that the House has passed the following:

H. B. No. 10, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to and administration through the Central Education Agency; providing for financing from the State Foundation School Fund; to take effect for the 1961-62 school year and thereafter; providing a severability clause; and declaring an emergency."

H. B. No. 37, A bill to be entitled "An Act amending Section 9 of Chapter 50, Acts of the 55th Legislature, Regular Session, 1957, relating to the regulatory authority of the Game and Fish Commission in certain counties, by withdrawing the veto power of the Commissioners Court in Llano County over orders, rules or regulations of the Game and Fish Commission promulgated for that County; and declaring an emergency."

H. B. No. 29, A bill to be entitled "An Act amending Chapter 357, Acts of the 53rd Legislature, Regular Session, 1953; changing the name of the Board of Water Engineers to the Texas Water Commission and prescribing certain duties, powers and functions

thereof; providing for the appointment of a Chief Engineer and prescribing his duties, powers and functions; enacting other provisions in regard to the administration of the water resources of the State; providing a saving clause; and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act validating Brazoria County Water Control and Improvement District No. 3 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, Texas Constitution; validating the addition of lands to such District and the boundaries thereof; validating governmental proceedings and acts validating \$100,000 bonds voted in said District on March 11, 1961, and all proceedings had in connection therewith; finding and determining that the lands and other property within said District are, and will be, benefited by the District; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 36, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in the County of Houston; amending Section 1 of Chapter 125, Acts of the Fifty-second Legislature, 1951, as amended, so as to make that Act applicable to such County; repealing certain laws and fixing an effective date of the repeal; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 41

Senator Krueger offered the following resolution:

Whereas, Ingenuity on the part of the individual has ever been the well-spring of freedom in all ages; and

Whereas, Countless numbers of historical contributions to the betterment of individual and community life have found their birth in the rural atmosphere of our great country; and

Whereas, Every individual, ever how humble, and every community, ever how small, has a continuing job to do in the fulfillment of man's purpose on earth; and

Whereas, Proving again that the spirit that built America is not dead, but, to the contrary, is thriving in the rural areas of our land, as well as in the metropolitan centers, underscoring the will of man to survive and contribute to the betterment of mankind; and

Whereas, On April 22, 1961, the townspeople of Louise and friends of adjoining communities gathered in common purpose on the occasion of the unveiling and the inauguration of the Louise Outdoor Newspaper—successor to the grapevine media—as its overt act in proclaiming to the world a unique method of publication availing its citizens of the means to keep better informed and to prosper the community interest; and

Whereas, Assisting in this unique and inspirational project for the community good and acting as official greeter for the more than 800 guests assembled were the Honorable Paul Sablatura, Commissioner of Precinct No. 3, Wharton County; the Honorable Ralph S. Stockton, the Honorable J. F. Chromcak, the Honorable John W. Hancock and Tillie Roome, Editor of the Louise Outdoor Newspaper; and

Whereas, Official greeters assisting for the occasion were Sylvia Kovar, Sheila Mucka, Janet Noska and Geraldine Popp, all students of Louise High School; and

Whereas, Speakers for the occasion were the Honorable Culp Krueger, State Senator, 15th Senatorial District; Honorable Dorman Nickels, County Judge, Wharton County; Dewey Compton, KTRH; the Reverend R. E. Tatum and M. W. Crowell, President of the Louise Chamber of Commerce; and

Whereas, On hand to proclaim the occasion to the world were Herschiel Hunt, Editor of The El Campo Leader-News; Mrs. Hensley Kieth, Sr., Louise reporter for the El Campo Leader-News; and Chuck Schwartzkop, station manager of Radio Station KULP; and Photographer Bob Harris; and

Whereas, Through their efforts, stories of this unique unveiling and method of publication were carried by the Christian Science Monitor, the Houston Chronicle, and many other newspapers in the State and Nation too numerous to mention; and

Whereas, This unique method of publication has resulted in improved business for the town of Louise and

awakening of the spirit of its people; and

Whereas, The Louise Outdoor Newspaper has become one of the outstanding tourist attractions on Highway 59, giving rest to weary travelers who stop by to relax and read the outdoor newspaper and comment that every small town needs one; and

Whereas, This demonstration and testimony to the enterprise of the individual in the small community will serve to encourage all small towns to create unique attractions to rest travelers, to save lives, to generate interest and to entertain the passing world and to reiterate that God helps those who help themselves; now, therefore, be it

Resolved, by the Senate of the State of Texas, That each and every individual contributing to this most worthy inspiration be highly and singularly praised and commended for the achievement and further that the town of Louise be saluted for its exhibition of fine community cooperation; and, be it further

Resolved, That this demonstration of individual initiative and enterprise and community cooperation be hereby noted and properly recorded for posterity and commendation be declared in order to give inspiration to all who need encouragement to the end that individual initiative and enterprise feel called upon to take on renewed vigor to again exhibit to the world that the principles that have built America as laid down by our forefathers are here to stay in the non-ending fight to preserve freedom of choice to each and all alike who will but drink of the knowledge herein set out, and that a copy of this resolution be sent to each person named herein.

The resolution was read and was adopted.

Senate Resolution 42

Senator Krueger offered the following resolution:

Whereas, Miss Dorothy St. Clair of Yoakum represented Texas as Texas State Championship High School Rodeo Queen in the Queen's Contest at Douglas, Wyoming; and

Whereas, Miss St. Clair, the lovely daughter of Mr. and Mrs. Clellys St. Clair of Yoakum, was second place winner in this National contest; and

Whereas, The Senate of the State of Texas wishes to congratulate this talented and attractive representative of our State; now, therefore, be it

Resolved, That congratulations be extended to Miss Dorothy St. Clair and that a copy of this resolution be sent to her as a token of our esteem.

The resolution was read and was adopted.

Senate Resolution 43

Senator Krueger offered the following resolution:

Whereas, The Senate of the Fifty-seventh Legislature wishes to pay tribute to a delightful citizen who has brought honor and recognition to this State; and

Whereas, Miss Carolyn Barre, nineteen-year-old daughter of Mr. and Mrs. Fritz Baree of Yoakum, has been chosen as Miss Wool of Texas; and

Whereas, She was chosen from a field of twelve finalists in San Angelo and has a record of previous title winnings, including the title of Yoakum Tom Tom Queen, most beautiful girl in her Yoakum High School class. In addition to her many honors as a beauty, Carolyn also served as National Honor Society President, Band President and many other honors in the academic field. Currently a summer school student at Texas Woman's University in Denton, Carolyn will return to her studies as a Sophomore at Texas Tech in Lubbock in the fall; and

Whereas, Carolyn will attend special events in all parts of Texas and as a lovely representative of Yoakum will bring great credit to this fine area and to her parents and friends; now, therefore, be it

Resolved, by the Senate of the State of Texas, That congratulations be extended to Miss Carolyn Barre and that a copy of this resolution be sent to her as a token of our esteem for this lovely representative of Texas.

The resolution was read and was adopted.

Communication from the Honorable Lyndon B. Johnson

The following communication from the Honorable Lyndon B. Johnson, Vice President of the United States, was laid before the Senate:

THE VICE PRESIDENT Washington

July 21, 1961.

To the Members of the Texas Senate:

May I take this opportunity to express to each of you my deep gratitude for the wonderful way in which you welcomed His Excellency Mohammad Ayub Khan, President of Pakistan, at the joint session on July 17.

President Ayub was moved by your generous turnout and your warm response to his remarks. I have received from him today a delightful letter expressing his thanks for the "kindness shown to me by your Administration, political leaders and the people of the U.S.A., especially of Texas, whose generosity I shall never forget."

President Kennedy also asked me to express his appreciation to you. I want you to know that, as your fellow Texan, my heart is full of pride in the very tangible way you are contributing to international understanding through hospitality.

Sincerely,
LYNDON B. JOHNSON

The communication was read and was ordered printed in the Senate Journal on motion of Senator Krueger and by unanimous consent.

Senate Concurrent Resolution 19 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. C. R. No. 19 was ordered not printed.

Senate Bill 58 on First Reading

The following bill was introduced, read first time and referred to the committee indicated:

By Senator Willis:

S. B. No. 58, A bill to be entitled "An Act amending Article 240 of the Penal Code of Texas, 1925; making it an offense to vote or offer to vote at a primary election or participate or offer to participate in a convention of a political party, having voted at a primary election or participated in a convention of any other party on the same day or during the same voting year, and prescribing a penalty therefor; defining the terms 'voting year,' 'primary election,' and 'convention'; prohibiting the counting of ballots

cast in violation of this Article; providing for severability; and declaring an emergency."

To the Committee on Privileges and Elections.

Leave of Absence

Senator Gonzales was granted leave of absence for today on account of important business on motion of Senator Kazen.

Senate Bill 33 on Second Reading

Senator Martin asked unanimous consent to suspend the regular order of business to take up S. B. No. 33.

Senator Hardeman raised the point of order that S. B. No. 33 did not come within the Governor's Call for the First Called Session of the 57th Legislature.

The President overruled the point of order.

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 33, A bill to be entitled "An Act amending Sec. 2 of Chapter 114, page 207, Acts of the 51st Legislature, Regular Session, 1949, codified as Art. 2815n. V.C.S., so as to provide for an alternate method for apportionment and election of trustees; validating all Junior College Districts heretofore organized and created, including certain Junior College Districts which have been dormant; repealing all laws in conflict herewith; providing a saving clause; providing this law shall not apply to any District or any bonds now in litigation; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 33 to engrossment.

Senate Bill 33 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

S. B. No. 33 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

Senate Bill 42 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order

of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 42, A bill to be entitled "An Act amending Chapter 221, Acts of the Fiftyfifth Legislature (being the law creating White River Municipal Water District), by adding a provision with reference to annexation of additional territory; enacting other provisions related to the subject; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 42 to engrossment.

Senate Bill 42 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 42.

Senate Bill 43 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 43, A bill to be entitled "An Act relating to White River Municipal Water District created by Chapter 221, Acts of the Fifty-fifth Legislature; naming the persons to constitute the Board of Directors of said district; validating acts performed by such Directors and by the persons who served before them as such Directors; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 43 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 31 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 31, A bill to be entitled "An Act amending Chapter 340, Acts 1949, Fifty-first Legislature, Regular Session, by granting the Colorado River Municipal Water District the power and authority to study, correct, prevent, control, regulate and eliminate artificial and natural pollution, including oil field brine pollution, of the Colorado River and its tributaries upstream from the north boundary line of Coke County, Texas, and to acquire sources of salt water by any means, and to sell salt water and fresh water for mining, oil field flooding and repressuring, industrial, manufacturing or other purposes; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 31 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crumpp	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Baker	Owen
Calhoun	Parkhouse
Colson	Patman
Creighton	Ratliff
Crumpp	Reagan
Dies	Roberts
Fuller	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	

Nays—1

Hardeman

Absent—Excused

Gonzalez	Hudson
Hazlewood	

Senate Bill 35 on Second Reading

The President laid before the Senate as pending business S. B. No. 35 on its second reading (The bill having been read the second time on Friday, July 28, 1961).

Question—Shall S. B. No. 35 be passed to engrossment?

Senator Moore offered the following amendment to the bill:

Amend Senate Bill No. 35, by striking Sec. 5 thereof and inserting therefor the following:

Section 5. Nothing in this Act shall apply to any person who conscientiously believes in and uniformly observes another day of the week as the Sabbath and who does not personally or through others, conduct or engage in his business on that day.

MOORE
MARTIN

The amendment was adopted.

The bill as amended was passed to engrossment.

Record of Vote

Senators Hardeman, Krueger and Creighton asked to be recorded as voting "Nay" on the passage of S. B. No. 35 to engrossment.

**Motion to Place
Senate Bill 35 on Third Reading**

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 35 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):

Yeas—19

Aikin	Owen
Baker	Parkhouse
Colson	Ratliff
Crump	Reagan
Dies	Roberts
Herring	Rogers
Kazen	Schwartz
Martin	Secrest
Moffett	Willis
Moore	

Nays—9

Calhoun	Lane
Creighton	Patman
Fuller	Smith
Hardeman	Weinert
Krueger	

Absent—Excused

Gonzalez	Hudson
Hazlewood	

**Senate Concurrent Resolution 19
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 19, Granting Texas Gas Utilities Corporation permission to sue the State of Texas.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred S. B. No. 58, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senate Bill 51 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 51 for consideration at this time.

Senator Hardeman raised the point of order that S. B. No. 51 did not come within the Governor's Call for the First Called Session of the 57th Legislature.

The President overruled the point of order.

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 51, A bill to be entitled "An Act making void any part of an agreement, arrangement or other device which requires or permits a carrier to pay a levied charge, allowance, assessment or compensation to any person or organization if such charge, allowance, assessment or compensation is dependent or contingent upon the use of another mode of transportation; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Vote

Senator Gonzalez asked to be recorded as voting "Nay" on the passage of S. B. No. 51 to engrossment.

Senate Bill 51 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Hardeman	Rogers
Herring	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis

Nays—1

Gonzalez

Absent—Excused

Hazlewood

Hudson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Gonzalez asked to be recorded as voting "Nay" on the final passage of S. B. No. 51.

Recess

On motion of Senator Hardeman the Senate at 11:53 o'clock a.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 2:30 o'clock p.m. today.

Senate Concurrent Resolution 20

Senator Fuller by unanimous consent offered the following resolution:

S. C. R. No. 20, Granting Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, permission to sue the State of Texas.

Whereas, It is alleged by Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, a resident of Beaumont, Jefferson County, Texas, that beginning

in February 1955, and continuing to the present time, certain property owned by him as Independent Executor of the Estate of Edna E. Myers, deceased, and being more particularly described as Lots Numbers One, Two, Three, Ten, Eleven and Twelve (1, 2, 3, 10, 11 and 12), of the Hughes Tract at Rollover on the Bolivar Peninsula near Galveston County, Texas, was damaged due to the construction and opening of Rollover Pass connecting East Galveston Bay with the Gulf of Mexico at Kaplan, Texas; that by virtue of the construction and opening of such Rollover Pass, said property has been caused to erode and as results of said erosion there has been a loss of a substantial part of said land, and that the present vegetation line is now under the house located thereon to the extent that part of the front of the house is dangling in mid-air. As a result, it will be required to purchase land in rear of said property and to immediately remove the house thereon; and that thereby the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, has been deprived of valuable property rights, for which the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, has received no compensation from the State of Texas; and that at no time was the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, consulted in the plans or manner of construction of the said Rollover Pass, nor did he consent to such construction which has caused the aforesaid damages; that the damages accruing to the property owned by the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, were a direct and proximate result of the construction and opening of the said Rollover Pass, and that as such constituted a taking by the State of Texas of private property for public use without just compensation therefor; that there is no provision of law whereby he can secure judgment and enforce payment for the damages incurred except by a court of competent jurisdiction and it is necessary that the State of Texas and the Texas Game and Fish Commission be made parties to said suit; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the said Walter F. Myers, Independent Executor of the Estate

of Edna E. Myers, deceased, be, and he is hereby granted permission to file suit against the State of Texas in any court of competent jurisdiction to determine whether or not the State of Texas is liable for any damages for the act herein alleged; and be it further

Resolved, That service of citation and/or all other necessary legal processes shall be served upon both the Chairman of the said Game and Fish Commission and the Attorney General of the State of Texas. Service of process upon these two officers shall have the same force and effect as the service of process upon a defendant in any other civil case, according to the rules of Civil Procedure as promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, to bring suit against the State of Texas. No admission of liability or of any fact is made in any way by the passage of this resolution, but on the contrary, it is specifically provided that the facts upon which the said Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, deceased, seeks to recover must be proved in court as in other civil cases. In the event judgment is recovered, it shall only be satisfied out of funds allocated or appropriated to the Texas Game and Fish Commission, but in no event shall an appropriation be made to satisfy such judgment out of the General Revenue Fund of the State of Texas; and, be it further

Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way waived by the passage of this resolution.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Bills on First Reading

The following bills by unanimous consent were introduced, read first time and referred to the Committees indicated:

By Senator Roberts:

S. B. No. 59, A bill to be entitled

"An Act validating the incorporation of cities and towns heretofore incorporated or attempted to be incorporated under the General Laws of Texas and having a population according to the Federal Census of 1960 of not more than six thousand (6,000); validating the boundary lines thereof, validating governmental proceedings; validating the adoption of Home Rule Charter; validating the charter so adopted and providing that such charter so adopted shall constitute the Home Rule Charter of such cities; validating elections held for the election of members of the governing body of such cities and the assumption of office; providing that this Act shall not be construed as validating the adoption of any charter if the validity of the charter or the charter adoption proceedings are involved in litigation on the effective date of this Act and such litigation is ultimately determined against the validity thereof; providing a savings clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Baker:

S. B. No. 60, A bill to be entitled "An Act amending Chapter 352, Acts of the Regular Session, 50th Legislature as amended, (codified as Art. 6228a VCS), by adding thereto a new section; providing for adding certain unused sick leave to actual time of employment in determining time or years of creditable service of employee before retirement; providing that if such added sick leave gives employee twenty (20) years or more of creditable service, and should employee have failed to file written nomination of person to receive benefits in case of employees' death, then the surviving spouse, if employee had no children, may select any option under this act and receive the benefits; providing that the section added to the above named act by this act shall apply to employees dying either before or after the passage of this act, provided the accumulated contributions of such deceased employee have not been repaid by the State; and declaring an emergency."

To the Committee on State Affairs.

By Senator Kazen:

S. B. No. 61, A bill to be entitled "An Act constituting a local law for

the maintenance of public roads and highways in LaSalle County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; containing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hazlewood:

S. B. No. 62, A bill to be entitled "An Act relating to the Palo Duro River Authority to increase the terms of office of members of the Board of Directors from two (2) to four (4) years; providing for election of members of the Board of Directors; providing that the Board of Directors shall fill vacancies by appointment for the unexpired term; providing that each Director shall reside in and own taxable property in the commissioners precinct he represents; providing for the issuance of bonds wholly or partially payable from ad valorem taxes after authorization by a majority of votes cast at an election at which only qualified voters who own taxable property therein and who have duly rendered the same for taxation may vote; providing that elections for the levy of taxes for Authority purposes shall be ordered by the Board of Directors and held and conducted in the same manner provided for elections for the authorization of bonds; amending Sections 17, 23 and 27 of Chapter 26, Acts of the 56th Legislature, Second Called Session, 1959, codified as Article 8280-244 of Vernon's Texas Civil Statutes; and declaring an emergency."

To the Committee on Water and Conservation.

Reports of Standing Committee

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,

July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 36, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Senate Concurrent Resolution 20 Ordered Not Printed

On motion of Senator Fuller and by unanimous consent S. C. R. No. 20 was ordered not printed.

Motion to Not Print Senate Bill 36

Senator Moore asked unanimous consent that S. B. No. 36 be ordered not printed.

There was objection.

Senator Moore then moved that S. B. No. 36 be ordered not printed.

The motion was lost by the following vote:

Yeas—14

Aikin	Moore
Creighton	Owen
Crump	Ratliff
Dies	Reagan
Hardeman	Rogers
Kazen	Smith
Moffett	Willis

Nays—14

Baker	Krueger
Calhoun	Martin
Colson	Parkhouse
Fuller	Patman
Gonzalez	Roberts
Hazlewood	Schwartz
Herring	Secret

Absent

Lane	Weinert
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Absent—Excused

Hudson

Senate Concurrent Resolution 20 on Second Reading

On motion of Senator Fuller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 20, Granting Walter F. Myers, Independent Executor of the Estate of Edna E. Myers, permission to sue the State of Texas.

The resolution was read and was adopted.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 59, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Senate Bill 27 Referred

The following bill, which was introduced and read first time on Wednesday, July 19, 1961, was referred to the committee indicated:

S. B. No. 27, To the Committee on Counties, Cities and Towns.

Senate Bill 28 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 28, A bill to be entitled "An Act to amend Section 1 of Senate Bill 251, Acts of the Fifty-seventh Legislature, Regular Session, 1961, so as to eliminate therefrom the requirement that 'incorporated' cities in which 'Eligible Districts' are situated must border the Gulf of Mexico; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 28 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—25

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Rogers
Gonzalez	Schwartz
Hazlewood	Secrest
Herring	Smith
Kazen	Willis
Krueger	

Nays—4

Hardeman	Reagan
Martin	Roberts

Absent

Weinert

Absent—Excused

Hudson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Rogers
Gonzalez	Schwartz
Hazlewood	Secrest
Herring	Smith
Kazen	Willis
Krueger	

Nays—4

Hardeman	Reagan
Martin	Roberts

Absent

Weinert

Absent—Excused

Hudson

Senate Bill 21 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 21, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Chantilly Oaks Municipal Utility District'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; providing that such District may consist of separate bodies of land separated by land not embraced in the District; providing additional means of adding to such District; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Vote

Senator Reagan asked to be recorded as voting "Nay" on the passage of S. B. No. 21 to engrossment.

Senate Bill 21 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Gonzalez
Baker	Hazlewood
Calhoun	Herring
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Martin
Fuller	Moffett

Moore
Owen
Parkhouse
Patman
Ratliff
Reagan

Roberts
Rogers
Schwartz
Secrest
Smith
Willis

Nays—1

Hardeman

Absent

Weinert

Absent—Excused

Hudson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 21.

Senate Bill 54 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 54 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 54 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Schwartz
Hazlewood	Secrest
Herring	Smith
Kazen	

Nays—5

Hardeman	Rogers
Krueger	Willis
Roberts	

Absent**Martin Weinert****Absent—Excused****Hudson**

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 54, A bill to be entitled "An Act to amend Chapter 36, Acts of the Regular Session of the 56th Legislature (Vernon's Annotated Civil Statutes, Article 1109-h) to more clearly define the elements to be included in the facilities to be constructed by an eligible city for final delivery of treated water to such city so as to include the provision of intermediate reservoirs to be used wholly or in part for storing water from the water supply project, and to provide pumping equipment and pipeline facilities to and from such intermediate reservoirs; enacting other provisions related to the subject; and declaring an emergency."

The bill was read the second time and passed to engrossment.

Record of Vote

Senators Hardeman and Roberts asked to be recorded as voting "Nay" on the passage of S. B. No. 54 to engrossment.

Motion to Place**Senate Bill 54 on Third Reading**

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 54 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Lane
Baker	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Schwartz
Herring	Secrest
Kazen	Smith

Nays—6

Hardeman	Roberts
Krueger	Rogers
Owen	Willis

Absent**Hazlewood Weinert****Absent—Excused****Hudson****Message from the House**

Hall of the House of Representatives
Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 6, Requesting the State Board of Insurance to postpone the effective date of the new automobile insurance rates until October 1, 1961.

H. C. R. No. 20, Directing the Enrolling and Engrossing Clerk of the House to make certain corrections in House Bill No. 33.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 55 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 55 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 55 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Hazlewood
Baker	Herring
Calhoun	Kazen
Colson	Krueger
Creighton	Lane
Crump	Moffett
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse

Patman	Schwartz
Ratliff	Secrest
Reagan	Smith
Rogers	Willis

Nays—2

Hardeman	Martin
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Absent

Roberts	Weinert
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Absent—Excused

Hudson

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 55, A bill to be entitled "An Act amending Article 1266 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of 1959, Fifty-sixth Legislature, Page 563, Chapter 254, Section 1, relating to the discontinuing of territory as a part of certain cities; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 55 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Nays—2

Hardeman	Martin
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Absent

Roberts	Weinert
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Absent—Excused

Hudson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Hardeman and Martin asked to be recorded as voting "Nay" on the final passage of S. B. No. 55.

Senate Concurrent Resolution 13 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 13, Granting C. F. Rickenbacker and wife permission to sue the State of Texas.

The resolution was read and was adopted.

Senate Concurrent Resolution 15 on Second Reading

On motion of Senator Baker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 15, Granting Houston Lighting and Power Company permission to sue the State of Texas.

The resolution was read and was adopted.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
July 31, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 61, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

House Concurrent Resolution 20 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

H. C. R. No. 20, Directing Enrolling Clerk of House to make certain corrections in H. B. No. 33.

The resolution was read and was adopted.

Notice of Executive Session

Senator Dies gave notice that he would on tomorrow move for an Executive Session to consider nominations following the Morning Call.

Senate Bill 45 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S. B. No. 45 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business to take up S. B. No. 45 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Schwartz
Herring	Secrest
Krueger	Smith
Lane	Willis

Nays—3

Hardeman	Reagan
Kazen	

Absent

Weinert

Absent—Excused

Hudson

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 45, A bill to be entitled "An Act amending Article 4584 of the Revised Civil Statutes of Texas, 1925, as amended, so as to repeal that portion of the law allowing procedures that lead to diversion of bodies which would otherwise become available for the advancement of medical science; and with the purpose of eliminating the shortage of bodies that can be used for medical teaching and research; and declaring an emergency."

The bill was read second time and was passed to engrossment by the following vote:

Yeas—15

Aikin	Owen
Baker	Parkhouse
Colson	Ratliff
Creighton	Rogers
Dies	Schwartz
Martin	Secrest
Moffett	Smith
Moore	

Nays—10

Calhoun	Krueger
Crump	Patman
Hardeman	Reagan
Herring	Roberts
Kazen	Willis

Absent

Fuller	Lane
Gonzalez	Weinert
Hazlewood	

Absent—Excused

Hudson

Motion to Place**Senate Bill 45 on Third Reading**

Senator Schwartz moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 45 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—15

Aikin	Baker
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Colson	Parkhouse
Creighton	Ratliff
Dies	Rogers
Martin	Schwartz
Moffett	Secrest
Moore	Smith
Owen	

Nays—11

Calhoun	Krueger
Crump	Patman
Gonzalez	Reagan
Hardeman	Roberts
Herring	Willis
Kazen	

Absent

Fuller	Lane
Hazlewood	Weinert

Absent—Excused

Hudson

Motion to Adjourn

Senator Hardeman moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—10

Aikin	Herring
Calhoun	Kazen
Crump	Roberts
Hardeman	Smith
Hazlewood	Willis

Nays—15

Baker	Moore
Colson	Owen
Creighton	Patman
Dies	Ratliff
Gonzalez	Rogers
Krueger	Schwartz
Martin	Secrest
Moffett	

Present—Not Voting

Parkhouse

Absent

Fuller	Reagan
Lane	Weinert

Absent—Excused

Hudson

(President in the Chair.)

Senate Bill 46 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S. B. No. 46 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up S. B. No. 46 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Moffett
Baker	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Gonzalez	Reagan
Kazen	Roberts
Krueger	Rogers
Martin	Schwartz

Nays—4

Calhoun	Herring
Hardeman	Willis

Absent

Fuller	Secrest
Hazlewood	Smith
Lane	Weinert

Absent—Excused

Hudson

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 46, A bill to be entitled "An Act amending Section 2, House Bill No. 264, Fifty-sixth Legislature, 1959, so as to repeal that portion of the law which is not correlated with the Anatomical Law (Article 4584, Revised Civil Statutes of Texas, 1925), permits indiscriminate distribution of bodies, and does not provide for keeping records; and with the purpose of unifying the laws dealing with human bodies used for the advancement of medical science; providing for recording their distribution, and giving a uniform method of handling all such bodies through the activity of the Anatomical Board of the State of Texas; and declaring an emergency."

The bill was read the second time and passed to engrossment.

Record of Votes

Senators Hardeman, Willis and Calhoun asked to be recorded as voting "Nay" on the passage of S. B. No. 46 to engrossment.

Motion to Place Senate Bill 34 on Second Reading

Senator Martin asked unanimous consent to suspend the regular order of business and take up S. B. No. 34 for consideration at this time.

Senator Hardeman raised the point of order that under Section 40 of Article III of the Constitution of the State of Texas S. B. No. 34 did not come within the Governor's Call for subjects submitted for consideration for the First Called Session of the 57th Legislature.

The President sustained the point of order.

Senate Concurrent Resolution 9 on Second Reading

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 9, Granting Quincy Lee and Pat Legan permission to sue the State of Texas.

The resolution was read and was adopted.

Memorial Resolution

S. R. No. 40—By Senator Willis: Memorial resolution for Donald A. Cowan, Sr.

Welcome Resolutions

S. R. No. 44—By Senator Herring: Extending welcome to Mrs. Dorothy Jean Butler and daughters of Riverside, Illinois.

S. R. No. 45—By Senator Parkhouse: Extending welcome to Mr. and Mrs. John Swank and children of Dallas.

S. R. No. 46—By Senator Creighton: Extending welcome to Mr. and Mrs. Marshall Hamilton of Mineral Wells.

Adjournment

On motion of Senator Hardeman the Senate at 4:20 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

TENTH DAY

(Tuesday, August 1, 1961)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with, and the Journal was approved.

Reports of Standing Committees

Senator Aikin submitted the following report:

Austin, Texas,
August 1, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 27, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

AIKIN, Chairman.

Senator Hardeman submitted the following report: